United Nations S/RES/1376 (2001)

Security Council

Distr.: General
9 November 2001

Resolution 1376 (2001)

Adopted by the Security Council at its 4412th meeting, on 9 November 2001

The Security Council,

Recalling its previous resolutions and statements by its President,

Reaffirming the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and *reaffirming also* the political independence, the territorial integrity and the sovereignty of the Democratic Republic of the Congo, including over its natural resources,

Taking note of the Secretary-General's report of 16 October 2001 (S/2001/970) and its recommendations,

Welcoming the participation of the Political Committee for the implementation of the Lusaka Ceasefire Agreement (S/1999/818) in joint meetings held on 9 November 2001,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Welcomes* the general respect for the ceasefire among the parties to the Lusaka Ceasefire Agreement, *expresses* nonetheless its concern at the hostilities in areas of the eastern Democratic Republic of the Congo and *calls on* the parties to cease any form of support to the armed groups, particularly in the east of the country;

2. *Welcomes* the withdrawal of some foreign forces from the Democratic Republic of the Congo, including the full Namibian contingent, as a positive step towards the full withdrawal of all foreign forces, and *requests* all States that have not yet done so to begin to implement, without delay, their full withdrawal in accordance with resolution 1304 (2000) of 16 June 2000;

3. *Demands once again* that Kisangani be demilitarized rapidly and unconditionally in accordance with Security Council resolution 1304 (2000), *takes note* of the pledge by the RCD-Goma during the 4411th meeting of 9 November 2001 fully to demilitarize the city, *welcomes* the decision of the Secretary-General to further deploy MONUC personnel in this city, notably to contribute to the training of police, *stresses* that, once demilitarized, no party will be permitted to reoccupy

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the city militarily and *welcomes* in this regard the pledge by the Government of the DRC, during the same meeting, to respect this provision;

4. *Expresses* its support for the inter-Congolese dialogue, one of the key elements of the peace process, and for all efforts to promote this process, *calls on* the Congolese parties to work together for the success of the dialogue, and *expresses* its support for the Facilitator and his call on the parties to make the dialogue fully inclusive;

5. *Expresses* its grave concern at the repeated human rights violations throughout the Democratic Republic of the Congo in particular in the territories under the control of the rebel groups party to the Lusaka Ceasefire Agreement, and *calls* on all parties to put an end to such violations;

6. *Expresses* its serious concern with regard to the humanitarian situation in the DRC and calls on the international community to increase, without delay, its support for humanitarian activities;

7. *Expresses* its serious concern with regard to the economic difficulties facing the Democratic Republic of the Congo, *stresses* that progress in the peace process and the economic recovery and development of the country are interdependent, and in this regard underlines the urgent need for increased international economic assistance in support of the peace process;

8. *Reiterates* its condemnation of all illegal exploitation of the natural resources of the Democratic Republic of the Congo, *demands* that such exploitation cease and *stresses* that the natural resources of the Democratic Republic of the Congo should not be exploited to finance the conflict in that country;

9. *Emphasizes* that there are links between the peace processes in Burundi and in the Democratic Republic of the Congo and, welcoming the recent progress in the Burundi process, *invites* the parties to the Lusaka Ceasefire Agreement to work with the Burundian authorities to advance these two processes;

10. *Supports* the launching of phase III of the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) on the basis of the concept of operations detailed in paragraphs 59 to 87 of the Secretary-General's report (S/2001/970) and *stresses*, in this regard, the importance it attaches to the deployment of MONUC in the east of the Democratic Republic of the Congo, in conformity with the new concept of operation and within the overall ceiling, including in the cities of Kindu and Kisangani;

11. *Notes* with concern the joint communiqué issued on 4 November 2001 by the Secretaries General of the Mouvement de Libération du Congo and of the Rassemblement Congolais pour la Démocratie concerning the deployment of a joint special force in Kindu, and *stresses* that appropriate conditions will be necessary to allow MONUC to fulfil its role in Kindu and to ensure that discussions on the voluntary disarmament and demobilization of concerned armed groups take place in a neutral environment;

12. *Affirms* that the implementation of phase III of the deployment of MONUC requires the following steps from the parties and requests the Secretary-General to report on progress thereon:

(i) The transmission to MONUC, as soon as possible and in accordance with its resolution 1355 (2001) of 15 June 2001, of the necessary operational information for the planning of MONUC support for the process of total withdrawal of foreign troops present in the territory of the Democratic Republic of the Congo, including the number of foreign military personnel in the territory of the DRC, their equipment and armament, their exit routes, and a precise timetable for implementation;

(ii) The transmission to MONUC, as soon as possible and in accordance with its resolution 1355 (2001), of the necessary operational information for the planning of MONUC's mandated role in the process of disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) programme for the armed groups referred to in annex A, chapter 9.1 of the Lusaka Ceasefire Agreement, including the number of persons concerned, their equipment and armament, their location, their intentions, as well as a precise timetable for implementation;

(iii) The establishment of a direct dialogue between the governments of the Democratic Republic of the Congo and Rwanda leading to confidence building and a joint mechanism for coordination, and exchanges of information regarding the DDRRR process;

(iv) The establishment by the governments of the countries concerned, in particular Rwanda, and noting steps taken so far, of conditions conducive to voluntary DDRRR of the members of the armed groups concerned, in particular, by assuring the protection of the personal safety of the members of these armed groups, their civil rights and their economic reintegration including with the assistance of the donor community;

(v) The demilitarization of Kisangani;

(vi) The full restoration of freedom of movement for persons and goods between Kinshasa and Kisangani and throughout the country;

(vii) The full cooperation by the parties with MONUC military and logistical operations, as well as its humanitarian, human rights, and child protection activities, including by permitting unrestricted access to ports and airports, and by refraining from introducing administrative and other impediments;

13. *Expresses* its satisfaction at the partnership established with the parties to the Lusaka Ceasefire Agreement, strengthened by regular contacts between the Political Committee for the implementation of that Agreement and the Council, and *reiterates* its firm determination to continue to provide assistance to the parties in their efforts to achieve peace;

14. *Commends* the outstanding work of MONUC personnel in challenging conditions, and *pays tribute* in particular to the efforts of the Special Representative of the Secretary-General;

15. *Decides* to remain actively seized of the matter.

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Security Council

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Resolution 1377 (2001)

Adopted by the Security Council at its 4413th meeting, on 12 November 2001

The Security Council,

Decides to adopt the attached declaration on the global effort to combat terrorism.

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Annex

The Security Council,

Meeting at the Ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

Further declares that acts of international terrorism constitute a challenge to all States and to all of humanity,

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

Underlines that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

Affirms that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, *calls on* all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

Calls on all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and *underlines* the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and *welcomes* the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementation of that resolution,

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and *invites* States to inform the Counter-Terrorism Committee of areas in which they require such support,

In that context, invites the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations:

- the promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- the promotion of possible synergies between these assistance programmes,

Calls on all States to intensify their efforts to eliminate the scourge of international terrorism.

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Security Council

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14 November 2001

Resolution 1378 (2001)

Adopted by the Security Council at its 4415th meeting, on 14 November 2001

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,

Supporting international efforts to root out terrorism, in keeping with the Charter of the United Nations, and *reaffirming* also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Recognizing the urgency of the security and political situation in Afghanistan in light of the most recent developments, particularly in Kabul,

Condemning the Taliban for allowing Afghanistan to be used as a base for the export of terrorism by the Al-Qaida network and other terrorist groups and for providing safe haven to Usama Bin Laden, Al-Qaida and others associated with them, and in this context supporting the efforts of the Afghan people to replace the Taliban regime,

Welcoming the intention of the Special Representative to convene an urgent meeting of the various Afghan processes at an appropriate venue and *calling on* the United Front and all Afghans represented in those processes to accept his invitation to that meeting without delay, in good faith and without preconditions,

Welcoming the Declaration on the Situation in Afghanistan by the Foreign Ministers and other Senior Representatives of the Six plus Two of 12 November 2001, as well as the support being offered by other international groups,

Taking note of the views expressed at the meeting of the Security Council on the situation in Afghanistan on 13 November 2001,

Endorsing the approach outlined by the Special Representative of the Secretary-General at the meeting of the Security Council on 13 November 2001,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

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Deeply concerned by the grave humanitarian situation and the continuing serious violations by the Taliban of human rights and international humanitarian law,

1. *Expresses* its strong support for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which:

- should be broad-based, multi-ethnic and fully representative of all the Afghan people and committed to peace with Afghanistan's neighbours,
- should respect the human rights of all Afghan people, regardless of gender, ethnicity or religion,
- should respect Afghanistan's international obligations, including by cooperating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan, and
- should facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced persons, when the situation permits;

2. *Calls* on all Afghan forces to refrain from acts of reprisal, to adhere strictly to their obligations under human rights and international humanitarian law, and to ensure the safety and security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations;

3. *Affirms* that the United Nations should play a central role in supporting the efforts of the Afghan people to establish urgently such a new and transitional administration leading to the formation of a new government and *expresses* its full support for the Secretary-General's Special Representative in the accomplishment of his mandate, and calls on Afghans, both within Afghanistan and among the Afghan diaspora, and Member States to cooperate with him;

4. *Calls* on Member States to provide:

- support for such an administration and government, including through the implementation of quick-impact projects,
- urgent humanitarian assistance to alleviate the suffering of Afghan people both inside Afghanistan and Afghan refugees, including in demining, and
- long-term assistance for the social and economic reconstruction and rehabilitation of Afghanistan and welcomes initiatives towards this end;

5. *Encourages* Member States to support efforts to ensure the safety and security of areas of Afghanistan no longer under Taliban control, and in particular to ensure respect for Kabul as the capital for all the Afghan people, and especially to protect civilians, transitional authorities, United Nations and associated personnel, as well as personnel of humanitarian organizations;

6. *Decides* to remain actively seized of the matter.